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The Opinion Volume 17 Number 2 – September 23, 1976

The Opinion

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The Opinion, "The Opinion Volume 17 Number 2 – September 23, 1976" (1976). *The Opinion Newspaper*. 114.

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Opinion

Opinion
John Lord O'Brian Hall
SUNY/B, North Campus
Buffalo, New York 14260

Volume 17, No. 2

State University of New York at Buffalo Faculty of Law and Jurisprudence

September 23, 1976

Jaworski to speak

Former special Watergate Prosecutor Leon Jaworski will speak at the SUNYAB Law School tomorrow at 3 p.m. in the Moot Court Room.

Jaworski will be in Buffalo for a Polish-American festival this weekend. The talk will be informal, with opportunity for questions and discussion.

The Houston Lawyer and former president of the American Bar Association has just published "The Right and the Power", described by one reviewer as "the bill of particulars that should have been issued when Gerald Ford pardoned Richard Nixon."

The book tells the story of Watergate from the prosecutor's point of view, detailing the painstaking gathering of evidence and touching upon Jaworski's



personal impressions of the scandal as it unfolded before him.

Proceeds of the book are being donated to charity.

Headrick comments on clinic and class

by Bob Anderson

An "open administration", with availability to individual students and to student groups is what Dean Thomas Headrick is promising the SUNYAB Law School.

The Dean thinks that he needs more information about student concerns so his office can better meet the needs of students. "All topics are open to discussion," he said, unless "they deal with matters which were acquired in a confidential manner, or unless it would affect some negotiations which are ongoing and thus disturb the process of those negotiations."

In a second interview with the *Opinion*, Headrick responded to specific questions about problems and programs at the Law School.

Asked to discuss the relation of classroom work to clinical programs, Headrick expressed a desire for a "healthy mixture" of both types of activities. "Buffalo has a well developed clinical program in comparison with most law schools," he noted. "The program here is extremely broad and very well thought through in terms of its integration into the curriculum."

To a suggestion of expanding the present third year program of

offering some form of clinical experience during first or second year, the Dean responded that one important limit on expansion of the present clinical experience is staff availability, and, although some form of clinical work could be quite valuable in the second year, with present resources it is better placed in the third year after two years of academic preparation.

He also noted that the Court of Appeals places some controls on clinical experiences, especially as to what activities may be engaged in by students.

In response to a query about the relocation of the Law School from downtown Buffalo to the Amherst campus and the resulting isolation from the legal activities of the city, the Dean said that "even though close contact with places where the business of law is conducted is important, being in the center of the university is equally important. Ideally, the university campus should be next to the courthouse, but ideal worlds are rarely achieved."

"Limitations on faculty availability and resources also present an obstacle to implementation of an L.L.M. program at SUNYAB Law School," Headrick said. Implementation of the program, recommended by a student-faculty committee will require detailed planning, but the faculty has decided to go ahead with the program, especially in the area of state and local government.

Desmond competition

Moot Court fosters forensic fray

Former Court of Appeals Chief Judge Charles S. Desmond will introduce this year's problem for the annual moot court competition that bears his name on Oct. 4.

The two-person moot court teams, composed of first and second year students, will then have about a month to prepare their 15-page briefs on the problem, with oral arguments scheduled for November.

In line with the scope of the exercise, Judge Desmond's address is expected to stress the importance of oral argument in appellate advocacy.

Each team will be required to brief one side of the fictional controversy raised in the problem. Teams will then argue at least three times in the November preliminary rounds, and will be expected to be able to present both sides of the case.

Oral arguments will be presented before panels of judges, attorneys and professors representing the United States Supreme Court.

Four semi-finalists will be chosen from the field by a combination of oral scores accumulated in the first three rounds, and the score awarded briefly by a grading committee. Consideration of won-lost records in the preliminary rounds and the strength of the opposition may also be taken into account.

The competition will then culminate with a final round in the Moot Court Room judged by a panel expected to include Court of Appeals and Appellate Division judges, presided over by Judge Desmond.

The final round will be followed by a banquet for entrants and judges.

Contestants will be assigned members of the Moot Court Board as advisors for the competition. The advisors will help students develop their facility in handling research and composition of an appellate brief and argument, although they will provide no substantive help on the problem.

For the first time this year, the Moot Court Board plans to set up a committee to regulate the advisors in order to ensure uniformity of advice to all competitors.

Based on the performances during the Desmond Competition, the Moot Court Board will invite about 15 competitors to join its ranks.

The Moot Court Board itself takes part in about seven inter-school national moot court competitions during the course of the school year. Last year, members secured many final and semi-final berths in competitions, accompanied by a number of awards for Best and Second Best Briefs.

The Moot Court events include hosting the annual Albert R. Mugel Tax Competition at the Law School. In past years the final round panel has been comprised of judges from the Tax Court, and this year invitations

are being extended to State Supreme Court and Circuit Court of Appeals judges as well.

The Moot Court Board also expects to compete in the Nationals Competition in Boston, the Jessup Competition in International Law, the American-Canadian Niagara Competition, and labor law and securities competitions in New York City.

Questions regarding Moot Court activities can be answered in the Moot Court Board Office, Room 8, in the basement behind the Moot Court Room platform.

Grad refused corrections job

Ron Benjamin, a May 1976 graduate of the Law School and a convicted felon, is waging a state-wide campaign against what he claims is a policy prohibiting hiring of ex-convicts by the New York Commission of Corrections. The New York Civil Liberties Union (NYCLU) has joined the protest.



The refusal to hire Benjamin came from Acting Commission Chairman Richard Chinlund. Chinlund was appointed to his job following the refusal by the state legislature to approve the appointment of SUNYAB law professor Herman Schwartz because of his liberal approach to prison reform, including the hiring of ex-offenders for commission jobs.

Benjamin and the NYCLU are claiming that Chinlund's refusal to hire him for a position with the program unit of the agency is due to the Acting Commissioner's fear that he would lose his job.

"I cannot tell you that were Herman Schwartz the current chairman I would have been hired," Benjamin said. "But I can tell you that if I were not hired the reason would not be because I am an ex-con. Schwartz acted on principle."

Two weeks ago, Benjamin started a speaking tour through Albany, Binghamton, Rochester and New York seeking financial and political support. Chinlund subsequently put two ex-offenders on the payroll, a move Benjamin claims is in response to the publicity he has generated.

Chinlund has denied the allegation that Benjamin was not

hired because of his background, according to Benjamin.

Benjamin was convicted of grand theft when he was 19, and spend 32 months in prison. He earned his high school diploma in prison and did his undergraduate work at SUNY Binghamton in three years before coming to the Law School in 1973.

In Binghamton, he ran a social service agency for ex-offenders for two years and has been involved in the criminal justice field for the past five years, he said.

"If a law school graduate with my background is to be discarded as a useless relic because I made a mistake, then what chance do the vast majority of ex-offenders who have not even completed high school have?" Benjamin said. "What incentive to acquire skills that will enable them to become productive members of society?"

The Niagara Frontier Chapter of NYCLU issued a statement recently pointing out that such a decision by an agency designed to protect and represent the prison population will undercut the Commission's credibility with prisoners. The Commission is in effect "extending the sentence imposed on Mr. Benjamin by a court of law, to a lifetime of state retribution," NYCLU charged.

Professor Herman Schwartz and Richard Griffin, NAACP attorneys in the Buffalo Schools Desegregation suit, will speak Wednesday in Room 109 at 7:30 p.m. on legal aspects of the suit

Editorial

There have been some mumblings among the ranks, particularly among the third-year ranks, to the effect that lawyers, or at least the American Bar Association, have a professional responsibility to provide graduates of accredited law schools with jobs. The import of these mumblings is, of course, that law schools should not accept more applicants than the profession will be able to absorb when these applicants are graduated.

A limiting of law school admissions in order to guarantee graduates jobs is unacceptable for two reasons. First, the legal system is much the basis for government in this country and absolutely essential to the guarantees of freedom under that government. Secondly, purposefully limiting the numbers of people who wish to study law to the number of available legal positions would be unjustly discriminatory.

The government of our country is designed to function out of a synthesis of constantly disputing factions held in check by a constitution and system of balances. It is in this interest to have citizens educated in the logic and substance of the law that governs their freedom. Presently, the legal market is not flooded: There are many Americans who suffer infringement of their rights and whose needs are not being met by the present legal profession. Further, in this democratic society, extra-legal fields, including politics, business, education and journalism, can well-profit from the educated legal mind. Even were the law schools to graduate so many students that no employment could absorb legal talents, the market flood would convince more college graduates to seek other occupations without having the profession deny them the freedom of choice to practice law.

The second reason for objecting to further restriction of law school admissions is that the restricting could not be done fairly. There is much justifiable criticism leveled at the present major method for differentiating among applicants, that is, the LSAT exam. It is agreed that the exam is a good predictor of which applicants will do well on law school exams, but that it is not designed to test other lawyering skills, such as rhetoric, dedication or ethics. The exam, in other words, cannot predict who will be a good lawyer.

The American Bar Association should not put itself in the degrading position in which the American Medical Association has placed itself. Intelligence and competence are necessary for the legal and medical professions, and some type of line-drawing exam to monitor the competition for limited spaces is necessary. However, the AMA has cut off thousands of competent college graduates from medical education even in the face of adamant demands for medical aid that increasingly cannot be met. The AMA's rationalization that medical education is limited due to the fact that only the relatively few can reach that profession's high level competency, is self-serving. That the real reason for the limitation is to keep up the high cost of that profession's commodity is abhorrent. Were the AMA to follow such tack, it might very well face, as the AMZ is presently facing, a popular push for socialized services.

For over two years, seniors have been members of the law school elite, and the time spent waiting with Joanie Caucus, to be moved from the waiting to accepted list of this or some more prestigious law school, is in the dim past. Now seniors too readily see a "we can pick and choose" attitude of law firm interviewers as the grim future. Law school should not be the equivalent of a mere admission ticket to the bar, that costs a good deal of time and money. Rather than limitation on the numbers admitted to school, students should focus their demands on law schools for better quality education and on the job market for more creative employment of legal talent. The college students of the sixties who displayed so much determination in pushing for social change should not opt out for three-piece security in the seventies.

The President's Corner

SBA offers counsel and consolation to frosh

by Barry Fertel

As many first year students are just beginning to realize, the legal educational process can be debilitating, boring, difficult, depressing, and at times, frustrating. I personally have experienced all of these feelings at one time or another during my years in law school, and have had to learn how to cope with them.

There is little doubt that one of the first felt bad effects of law school is the draining of your physical and mental energy. I became a coffee addict during my first year of law school, at least that was

my solution to the problem. Some students sleep on the couches in the various lounges in the library; others sleep during their classes. Each student should try to persevere through this period of adjustment. Hopefully, no one will have sleepless nights out of anxiety about whether the professor's supposedly random selection of students to be questioned will result in his or her being queried the following day.

There is certainly a great deal of intellectual stimulation, but there is also an accompanying mental frustration which occurs when you discover that you don't

know the answers, or worse yet, that you don't know where to locate the answers. There are no answers, and one of the first facts that the student must learn in law school is that the law does not fit neatly into a well-ordered set of rules. If it did, then very few disputes would ever be resolved in court since all issues would be determined by the appropriate rule. So when a professor asks you a question, and you are gasping for an answer, don't worry: the teacher doesn't really know the answer either.

One problem which I faced during my first year of law school was a lack of confidence as to whether I was capable of handling the material — that no matter how diligently I studied, the cases were almost impossible to comprehend. And the more difficult the material, the greater would be the amount of time I would spend attempting to understand it. Since my knowledge of the material was not actually tested I doubted that I had the ability to do well in law school. Fortunately, this feeling of ignorance was shared by most of my fellow students. If a first year student feels intellectually inadequate, he/she would realize that the law school would not have admitted him/her if it was felt that the necessary qualifications to be a good lawyer were lacking. In short, many law students, are much more intelligent (I hate to admit it) than they would give themselves credit for.

It is important to remember that you should not let law school control your life to such an extent that you find yourself in a vacuum, devoid of outside interests. Try to do some outside reading, exercise, or

is prohibited, but if the sweater is labeled "souvenir" it can be sold on a Sunday; medicine for a baby's diaper rash is permitted under the Sunday closing law, but not the sale of diapers; flowers may be sold, but not a get-well card; a gas station owner may sell gasoline, oil, and tires as being necessary to the movement of an automobile yet, under the old law it was illegal for him to sell other equally important and essential items such as windshield wipers, bulbs, fuses, headlights, or even a plastic windshield ice scraper; and the pinnacle of absurdity, magazines such as *Playboy* or *Penthouse* may be sold, but the sale of a Bible constitutes a violation.

So, stuck with the numerous impractical applications of the law, many District Attorneys and police chiefs chose not to enforce the law, and as a result, more and more proprietors decided to take advantage of this extra day of business. From this laxness in enforcement grew periodic and arbitrary slaps on the hand to proprietors and a flurry of suits. The decision by the Court of Appeals in *People v. Abrahams* puts an end to all this drudgery with the law for the time being.

However, at the present time there is a legislative effort under way to redraft the law and bring it more up to date with the accepted habits of the mobile, convenience-oriented society of today. Still, there are immense problems as to the enforcement of the law, which must be solved if it is to be reinstated and serious questions as to whether whatever practical good the law will do is worth the time and expense of enforcement, and the pain and costs of the numerous suits that will assuredly follow.

Second-year transfer students wishing to compete for positions on the **BUFFALO LAW REVIEW** must pick up their writing assignments by Monday, Sept. 27. Participants will have ten days to complete their written assignments, and must provide the REVIEW with an official transcript of their first year grades. Writing assignments and further details of the selection process can be obtained in Room 605.



even go out drinking after you finished studying for the evening — anything to help relieve the tension.

The most severe problem I faced during my first year of law school was a deep feeling of depression; a depression from a feeling of loneliness and alienation. A recent survey revealed that the group placed on top of the list of those who felt themselves to be the loneliest were law students. During my years at law school I have often wondered whether it has all been worth it. My only advice to students who experience this feeling of doubt, is that they look at law school as a means; as a tool which will provide the skills to effectuate change in our society. Although I may change my view many years from now, I do feel that it has been worth it: where else can you learn what quasi-in rem jurisdiction means.

OPINION

Volume 17, No. 2

September 23, 1976

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Book Review

Rape as social disease

Against Our Will by Susan Brownmiller

Susan Brownmiller's monumental book, *Against Our Will, Men, Women and Rape*, caused quite a stir when it was published last December. Copies were rather scarce and now that I have finally gotten my copy back, a reevaluation seems to be in order.

This is not an easy book to read. As a woman it was most painful to read about rape through the ages. Brownmiller takes the reader from Ancient Babylonia through World Wars I and II, through Vietnam and Bangladesh. We relive the rape of American colonists at the hands of the British during the Revolutionary War as well as the atrocities committed by white Americans against Native American women in the taming of the West. I found that I could rarely finish a chapter; instead I slammed the book shut when I could no longer go on.

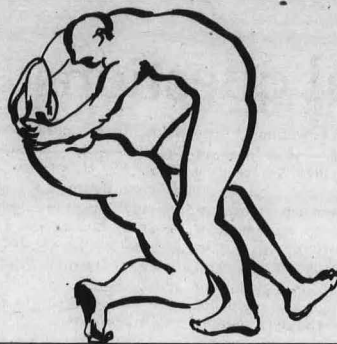
Law students will be pleased to note that the first chapter is dedicated to the legal development of the subject. Rape was originally viewed by the Hebrews as a property crime committed against the virgin's father. He could collect fifty silver coins in damages, the fair market price of

the daughter's virtue. Not until Edward I put forward the comprehensive Statutes of Westminster at the close of the thirteenth century did the state begin to take an active interest in all kinds of rape prosecutions, not just those concerning violated virgins. It took just a little over fifteen centuries for rape to no longer be just a family misfortune but an issue of public safety.

One of the most interesting suggestions in the book concerns the type of evidence presented at a criminal prosecution for rape. She argues most persuasively that since robbery or assault victims are not asked whether they resisted, rape as just another violent crime should not single out its victims for this loaded evidentiary attack.

Space does not permit an in-depth analysis of her other suggestions. Brownmiller deals with such diverse topics as rape in the media, women as trained victims, police treatment of rape victims.

What is especially disturbing is her central thesis that rape is inevitable as long as men's self-image depends on the subjugation of women.



— Kastle Brill

"There is good reason for men to hold tenaciously to the notion that 'All women want to be raped!' Because rape is an act that men do in the name of their masculinity, it is in their interest to believe that women also want rape done, in the name of femininity. In the dichotomy that they have established, one does and one 'is done to.' This belief is more than arrogant insensitivity; it is a belief in the supreme rightness of male power."

I for one am not willing to place the entire blame on men for the place that women enjoy in today's society or for the terrible treatment that rape victims have

endured. When I was first reading this book my aunt questioned me as to the necessity of writing a book on such a terrible topic. She assured me that no woman gets raped unless she asks for it. Brownmiller would have me believe that my aunt's statement is the result of the male-dominated media.

Although I'm not in total agreement with Brownmiller, I'm still very thankful that she wrote this book. Approaching this social problem from a feminist point of view has shed fresh light. It is evidence that women are now fighting back in the legislature, in the police precinct, in the media. That evidence is certainly a healthy sign.

by Maria Mossaides

Wide World of Torts

The Great Returner

by John Simson

General Douglas MacArthur is the sentimental favorite in this year's balloting for the "Greatest Returner of All-Time." (Not to be confused with the greatest retainer of all-time.) MacArthur, in fact, is credited with these immortal words, "I Shall Return."² and has won the award every year since its inception in 1958. However, for the first time in recent memory, MacArthur faces formidable competition: namely, O.J. Simson. Simson's return to Buffalo may surpass MacArthur's to Bataan. Why? The answer is not truly clear. However, some important differences are immediately evident.

MacArthur had poor counseling. Sure we were at war,³ but by declaring that he would return, Doug allowed most of the emotional impact of his decision to be stripped away by media overexposure. There was no tension. If only the General had said, "I Shall Not Return,"⁴ he might never have faded away.⁵ It is even doubtful whether Truman could ever have lowered the axe on Doug if he had renegotiated his return (particularly if it was a no-cut contract). The General lost his bargaining power by uttering those now famous words. Sure thousands on Bataan would have been heartbroken,⁶ season tickets for the war may have dropped initially, but Doug did have his career hanging in the balance.

The Juice obviously knew his history, and capitalized on the lesson of MacArthur. You too can benefit, for there is a moral to this story. Something that all law students can take to heart: This summer, a soon-to-be second year law student declared that he would not return. His declaration was not made public by the Times, or even by *Opinion*, and since no faculty member had ever called him by name he was quite surprised when he received the following phone call.

Student: "Hello?"

Voice: "Hello Student? ... this is the Governor. I've heard you're refusing to return to study in Buffalo. As owner and general manager of this Law School I am terribly concerned. I hope we can work out some satisfactory arrangements."

Student: "Mr. Governor, I appreciate your offer, but I have made a commitment to move with my wife to Los Angeles. She has been offered a very substantial position. More than that Mr. Governor, I really hate the weather in Buffalo—walking nearly half-a-mile across the Tundra every morning ..."

Voice: "We can get you a staff sticker ..."

Student: "... when you finally get inside, the Goddam classrooms don't have windows. Mr. Governor?"

Voice: "Yes?"

Student: "By any chance, was the school designed by an Ex-Submarine Commander?"

Voice: "Look, I am prepared to try and arrange a trade with UCLA, but barring that, we are prepared to make you a very substantial offer. We can arrange two Full Tap Awards, a car, and a Small-Town Physicians scholarship award worth \$5,000 per year."

Student: "I thought those scholarships were only for Medical Students."

Voice: "Juris Doctor, Medical Doctor, who cares. Besides, I have it on good authority that if we award those small-town physician scholarships solely to Medical students, we will be found in violation of the Equal Protection Clause of the 14th Amendment⁸ ... some suit by a first-year student last year."⁹

Student: "It certainly is an attractive offer, however, I really will have to give it some thought ... Why don't you fly down here for breakfast, and we can talk it over."

The rest is history. The student is now in Los Angeles at the newly created State University of New York at Buffalo in Los Angeles (or SUNY at BLA). At this time, he is the only student enrolled at the Emma Goldman and Eugene V. Debs School of Law. There is presently no campus, faculty, administration or other problems that go along with those types of organizations. Instead, there are palm trees, sun, the sand, and the Beach Boys. I spoke at length with the student about this new type of learning experience.

O'Pinion: "Don't you miss having classrooms, professors and other students around?"

Student: "The very reasons I'm here. The first day here I had six job interviews, right here on the beach. With no other students around, the competition is less stiff—although it is a bit harder to work cooperatively on exams. There is one thing that I do miss ... the portholes in the Library. These portholes made me feel like I was on some great Ocean Liner ... only, the crew finally convinced me that I was on the 'Ship of Fools'."

McPinion: "What did you find so foolish?"

Student: "Two things. The word reasonable; and Civil Procedure."

D'Opinion: "Would you care to explain?"

Student: "Sure. Everything in the law depends upon being reasonable. I don't particularly enjoy being reasonable. If I did, I'd probably still be in Buffalo right now. And even if I were reasonable, it wouldn't mean I was really reasonable—see particularly *Black and Blue Taxi v. Raw Umber and Magenta Taxi*, where the Court relied on primary colors to determine the outcome. See also Turnipseed's "The National Hockey Leagues' Penalty System: Does Rehabilitation Ever Work?" in *Phila. Flyer Law Review*, vol. 1 1976. See also Carlton Fisk's radical proposal in "Outlawing the Balk: A Greater Deterrent to Stealing" and M. River's reply, "Theft of the Basis" in *The Journal of Law and Baseball*, Ninth Inning, 1975.

Opinion: "Good Luck in Los Angeles"

Before YOU refuse to return, I think it only fair to warn you that not returning or the threat of not returning is not advisable under all circumstances. Lyndon Johnson is a case-in-Chief. Certain guidelines have been devised as a sort of informal way to measure your own ability to "Not Return" and succeed. You may not return if:

1. You have won six major battles since World War II;
2. You gained over 2000 yards in any National Football League season; or
3. Received 8 H's in your first season as a law student, and either gained 2000 yards in any National ...

Perhaps the most notorious case of those who did not follow these guidelines is one of recent memory:

"YOU WON'T HAVE DICK NIXON TO KICK AROUND ANYMORE"

Yes, those immortal words stunned the American populace in 1962. I shall not return, History is still too vivid for me to continue. Rather I will retire now to allow you to think awhile on the great disparity of consequences of those who refused to return.

To O.J. Simson (no, that's Simpson with a P) my fondest regards and wishes for another outstanding season. And to the rest of you ... Many Happy Returns ...

- NOTES: 1. See Money, J.
2.
3. The Big one
4.
5.
6. Twirling the Bataans: my story
7.
8. See Oldhouse, Suede
9. Not to be confused with some last year student's first year.

On Point

Ethical questions: a new day dawning?

For Monroe Freedman, the controversial and highly vocal dean of Hofstra Law School, ethics is a recurring subject.

Last spring, Freedman spoke at SUNYAB Law School on the subject of lawyers' ethics. A longtime civil liberties advocate, Freedman has no qualms about voicing his opinions, no matter how unpopular they may be, a fact accounting for his notoriety in the legal profession. The Freedman lecture sparked lively debate with Buffalo law students who did not agree with the attorney's position.

Freedman is also the author of *Lawyer's Ethics in an Adversary System*, in which he supports the school of thought which asserts that the search for truth is not the most important function of the adversary system, and that the "rituals of the system are crucial in lending dignity and humanness to the operation."

Currently, Freedman is involved in another bout with an ethical question. He was recently retained as defense counsel for Bernard Bergman, the major figure in the recent nursing home scandals in New York City.

The presiding judge in the case was Marvin Frankel, who only months earlier had taught legal ethics at Hofstra Law School. Bergman was sentenced to a four month federal sentence by Frankel and a one year sentence by a State Supreme Court judge last week for misappropriating Medicaid funds.

Interest in the Freedman/Bergman case was aroused by an article in the *New*

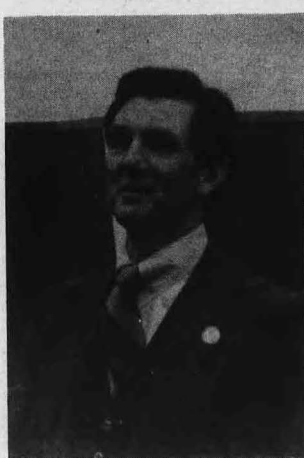
York Times which stated, that Dean Freedman had volunteered to explain before 650 Hofstra law students why he defended Bergman. The article went on to attempt to show both sides of the argument in question. Freedman's major point of defense was that he took the case to test the general theory of deterrence, which he thought was an improper rationale for Bergman's sentence to a four month prison term.

Since the *Times* article did not elaborate on this point, and it seemed especially interesting, the *Opinion* called Freedman recently to get a clearer picture of the ethical decisions behind his taking the Bergman case.

Before speaking with Freedman, I considered him the supreme advocate of the lawyer as "hired gun" theory with truth being secondary in the legal operation, and expected him to employ this rationale in his defense. Surprisingly, he did not fall back on his recognized philosophy. He said that he actually thought Bergman was innocent of the crime he was charged with committing.

Such a factor (whether Bergman was innocent or not) was irrelevant to his taking the case initially, Freedman said, but as the case developed it became clear to him that Bergman "was being taken for a ride."

Ironically, Freedman does not seem to have obviated the ethics or "truth" of the situation at hand: it was obvious from our conversation that truth had become the primary issue.



In regard to the question of general deterrence, Freedman felt that Bergman had suffered enough. His client was purportedly guilty of a financial crime, yet was not sentenced accordingly, he said.

As a result of the case, and its repercussions, Bergman's reputation was destroyed, his health suffered severely and, according to Freedman, he has become the "victim of some of the most irresponsible and malicious character assassinations I have ever seen."

Freedman asserted that anti-semitism (Bergman was an orthodox rabbi) played an integral part in the course of the trial. He described *New York Magazine* pictorial cartoons dealing with the case as reminiscent of Julius Streicher's during the heyday of Nazi Germany.

Freedman also pointed out that a few weeks earlier Eugene Hollander, another nursing home proprietor, was convicted and given a financial fine, not a prison term. Furthermore, Bergman was audited 14 times and no incriminating evidence was found. In this situation, Freedman said,

"the general issue of deterrence 'per se' as a basis for a prison sentence was impractical, immoral and contrary to the rights in the Eighth Amendment to the Constitution."

Student sentiment at Hofstra Law School against Freedman's actions seems to center on the question of impropriety in the case: of Freedman's relationship to Frankel.

Freedman contended that Frankel stopped working at the law school in April (the case took place during the summer), and that the Canon of Professional Ethics states that impropriety does not occur when there is a reasonable basis of a likelihood that the judge knows all the facts. Therefore, in this case, Freedman maintained that there is no instance of impropriety. Hofstra students queried last week by the *Opinion* did not fully accept this explanation.

This is not intended to be a pro-Freedman, pro-Bergman, or anti-Freedman, anti-Bergman essay. At this distance from the case, the questions tend to become complex, quizzical and vague — without "right" answers.

As we were concluding our conversation, Dean Freedman said something surprising. He said that he was optimistic about the future of the legal profession.

Initially I did not get his point, but then it dawned on me. The process I went through to analyze the ethics of the Bergman case is one that law students, perhaps in greater numbers than ever before, are going through.

To voluntarily fill a moot court room, with an overflow crowd of a few hundred watching on videotape, as Freedman did at Hofstra, to discuss legal ethics in society, is an auspicious sign of an increased awareness and interest in values and ethics within the legal system. Perhaps these difficult times of ethics have brought about the movement, but whatever it may be, it is happening, it is exciting, and yes, it is optimistic.

— Dean Silvers

Carlisle seeks D.C. jobs

Assistant Dean Jay Carlisle recently spent three days in Washington, D.C. visiting with private law firms and government agencies.

Carlisle met with hiring lawyers from law firms such as Arnold & Porter, Covington & Burling and Kirkland Ellis. He also spoke with representatives and general counsels from the Federal Communications Commission, the National Labor Relations Board, Consumer Products Safety Commission and the Reginald Heber Smith Foundation.

U.B. Law Alumni President Robert Fine accompanied Carlisle on several of the visits. Carlisle noted that "the State University of New York Law School is well known in the District of Columbia. Our recent graduates have done excellent work at the IRS, Department of Justice and the SEC and NLRB. However we must continue to publicize our law school... we have a superb faculty and an outstanding student body. If legal employers can be encouraged to recognize the high quality of the law school, we can easily place many more of our students with Washington, D.C. law offices."

Recent statistics from the Law School Placement Office indicate that an increasing number of Buffalo students obtain jobs in the District of Columbia. Justice hired three 1976 graduates and the NLRB hired five graduates. With the help of Professor Martin Lybecker many Buffalo students have been interviewing with the SEC. Additional assistance from law school alumni such as Judge Louis Spector, David Jacobson, Howard Levine and Anthony Illardi has been useful.

During the week of September 27 Carlisle will meet with hiring partners from approximately twenty New York City law firms. Carlisle explained that "most of our students do not come from the Western New York area. Our students want to work in cities such as New York, Chicago, Los Angeles, Atlanta, Philadelphia, Detroit, etc. It is essential that our faculty, staff and alumni use and develop contacts in these areas so that employers understand that our graduates are just as good if not better than graduates of most other law schools."

Carlisle also said students interested in judicial clerkships and positions with large law firms in New York City, Chicago and Washington, D.C. should immediately make contact with such employers.

A large number of federal and state judges have still not made final selections. The judicial clerkship committee at the law school forwarded resumes and application material for at least 26 students to various judges.

The committee did not engage in any pre-screening and all students who did not participate in the committees' activities should not be discouraged from submitting applications to judges on their own. There are many judges who did not respond to clerkship inquiries made by the committee and students should contact them.

They include all Federal judges in the Western District, in the Court of Appeals and in the Appellate Division for the Third and Fourth Department.

Large law firms in New York, Chicago and Washington, D.C. have asked the law school to encourage second and third year students interested in summer and permanent jobs to forward resumes immediately. Such firms are listed in the Placement Office.

The Placement Office sponsored the first of a planned series of simulated interviews Tuesday aimed at showing students how to interview without the trial and error method.

U.B. Law Alumni Paul Weaver, hiring partner from the Buffalo law firm of Jaekle, Fleishman & Mugel, "interviewed" a recent U.B. law graduate, Henry Killen. Students observed the interviewing process and later participated in a question and answer period.

Carlisle will arrange additional simulated interviews, he said. He encourages second and third year students to attend as many of such interviews as possible. Announcements of such interview sessions and future job seminars will be posted on the bulletin board next to the Placement Office.

Women plan to visit prisons and assist female inmates

by Andy Cosentino

"In the early going, I think that we did arts and crafts activities - morale boosters and boredom chasers - as much as anything else," Nancy Mulloy, an active staff member of the Buffalo Women's Prison Project remarked recently in reflecting upon the development of the organization. Like most of the Prison Project staff, she discusses the group in terms reminiscent of many activist organizations of the sixties which have moved from confrontation and controversial, speculative activities to a more sophisticated inward-looking, approach to problems.

"On the whole, what we did was new and provocative then," she said. "Here we were, women, holding our protests and demanding the right to help our sisters who had been victimized by society - but our remedies were ameliorative as to the condition of the women rather than fundamentally preventive."

Organized efforts on a more basic level appears to be the immediate goal of the staff. Mulloy feels that "as the site of our activities shifted from the Holding Center to the Alden Correctional Facility of Erie County, where the inmates are mostly recidivists, our emphasis moved towards an educational role. For example, last February, several women went to the Alden Facility and spent the day giving inmates lectures on various aspects of criminal procedure, she said. "We didn't give them counseling on their specific

problems, but they were able to relate to the hypotheticals we discussed, particularly when we talked about search and seizure. The lectures were well received, so we returned this summer for another visit."

Mulloy noted that presently there is little activity on the part of community members. The Project staff consists of 10 law students, evenly divided among second- and third-year students whose concerns are more legal problem-oriented than those of their predecessors.

The size of the staff has been dictated by the fact that only a handful of individuals at a time are permitted to visit the inmates, according to Mulloy, and these visits have themselves been authorized infrequently. The Project hopes to convince the authorities to allow regular, monthly visits, and thus employ more individuals in the group's work. Members also hope to develop supportive research services. A first step in this direction is a planned newsletter on matters affecting female inmates.

But to make the newsletter a reality, new staff members are needed. Regular prison visitation is a concept that is yet to be approved by the authorities at the Alden Facility. "All in all," Mulloy commented from the Project's fifth floor office, "everything seems to be temporarily at a standstill. We've got a lot of plans, but we need commitment from staff and help from the authorities before we can do anything. I guess we'll just have to wait and see."

Staff interview

Who's who behind registrar's third floor "wailing wall?"

(Editors' note: SUNYAB Buffalo law students are often unaware of who does what in the various offices composing the administration of the law school. Becky Mitchell has talked to some of the people who work behind the scenes in the registrar's office about what they can — and can't — do to help students.)

by Becky Mitchell

Room 304 is one of the more visible offices in O'Brien Hall. The large window along the south wall is so inviting that students are drawn to it as a sort of lost and found, information booth, wailing wall. In reality room 304 is the registrar's office.

Charles Wallin, whose private office is 311, is head of the registrar's office and assistant to the dean. His duties include working with the admissions committee to select students out of the approximately 2,400 who apply annually and taking care of their records once they're here.

The admissions committee sets policy and Wallin carries it out by personally reviewing and screening all applications. He refers discretionary admissions to the committee for review and compiles demographic statistics concerning the school's student population.

Wallin is the man to see about problems with records, transcripts scheduling or academic programming. He also does the paperwork for carrying out the law school budget.

Barbara Van Eseltine has worked for the law school for twelve and a half years. Cut from the law school payroll as a result of budget cuts last summer, she is now technically on the Equal Opportunity Center payroll on loan to the law school.

Warmly regarded by students as the one person who can answer any answerable question, Jean Consiglio, located in room 312, is Wallin's secretary and assistant.

Consiglio types minutes for faculty meetings and is secretary to the Alumni Association. She schedules rooms in O'Brien Hall, helps the secretaries in 304 with student records, exam processing, grade recording and lots of student inquiries about everything.

Three secretaries staff the registrar's room 304 office. They are Cindy Halm, Barbara Van Eseltine and Lilly Nelson. As a result of a movement to centralize administrative departments on a university-wide basis, their duties are in a state of flux. The three used to handle registration, but now they mainly focus on record keeping.

The universal complaint from the other side of the third floor window is interruptions. Visitors ask for information, students appear with questions and complaints and most incoming telephone calls are to that office.

When she isn't dealing with interruptions, Cindy Halm takes care of transcript requests and loan forms. She is also unofficial telephone receptionist for the entire law school, since most calls come in on her line.

Her duties include running the magnetic card machine and the IBM computer terminal which processes drop/add and scheduling requests. She also handles general office duties and takes care of requests for application forms and catalogs.

Lilly Nelson is the remaining member of the registrar's staff. She has worked for the law school for 15 years and has

tentative plans to retire in January.

Nelson sets up the files for the student records, which include acceptance cards, applications, deposit receipts, letters of reference and letters of recommendation from law school faculty.

Along with the other secretaries, she prepares the blue books for examinations and extracts the grades after the exams are corrected.

Women's Law Society holds supper



About 40 women were on hand for the Women's Law Society pot luck dinner Sept. 22, hosted by society president, Hollis Hite. Prospective members heard about plans for 1976-77 school year activities which include volunteer work with legal aid in welfare and social security hearings, and an educational program for high school students on student and civil rights. The Women's Law Society also plans to publish a summary of the conference on Women and the Law attended last spring in Philadelphia by women from SUNYAB Law School.

—photo by Nancy Mulloy

Sea Grant Fellows present environmental journal; look to increased funding, expansion

by Kim Hunter

Government response to exploitation of off-shore oil and gas reserves, evolution of the public trust doctrine and government control over coastline development are among the topics included in the newly-published *Sea Grant Law Journal*, Volume 1.

The journal — at 400 pages the most voluminous law journal ever published at the Buffalo Law School — is the product of the school's two-year old Sea Grant Program. "And it is the result of months of research and writing by the first group of Sea Grant Fellows from the Law School," said Prof. Robert Reis, director of the program.

It was introduced last night at a reception in the law school held by Dean Thomas Headrick for Sea Grant Fellows and faculty directors. Don Squires and John Judd, executive director of Sea Grant were on hand for the reception.

"Articles included in the journal are the actual papers that last year's program members produced on various topics in this area. The newly-published papers were conceived and written by last year's Fellows, but present members of the program did the laborious task of preparing and editing the material for publication," Reis explained.

The Sea Grant Program at the law school is an outgrowth of the state-wide New York Sea Grant College, comprised of the whole SUNY system and Cornell University. Funding for the program is provided jointly by the State of New York and the Federal Government.

Each of the ten or so SUNYAB law

students chosen every year to participate receives a \$1400 stipend to support his or her research during the summer on a particular topic. Topics are generally selected by the students themselves and approved by Reis.

In the fall semester, all students in the Sea Grant Program enroll in a seminar with Reis and each student prepares a publishable paper based on the research material gathered during the summer.

The overall work on projects is done basically by the students themselves with some faculty supervision. Reis dislikes the use of the term "supervision"; instead he describes the relation of program members to faculty as one between colleagues, rather than one between student and teacher.

In addition to Reis, Professors Richard Bell and Milton Kaplan have also contributed their time and efforts to the program and its members.

This year Sea Grant has nine members: David Ascher, editor-in-chief of the program, Janice Barber, Anthony Bossone and Allen Klein, article editors, and Bonnie Hager, Gary Newton, Catherine Niven, James Piggish and David Sheridan. Their projects include case studies on municipal coastal zone management, an evaluation of the use of administrative procedure in environmental litigation, and a study of the law on and regulation of the acquisition and development of coastal areas.

There has been some dissatisfaction among Sea Grant Fellows over the amount of time spent cite-checking and proofreading material prepared in the

previous year's project. The additional burden of producing and up-dating a bibliography of materials on environmental law and sea coast management has cut into research time, to the resentment of at least some Fellows, none of whom wished to be quoted.

Most of the program members interviewed said, however, that they recognized a need for the bibliography and background material, and have accepted the work willingly. One Fellow reported that he has nearly memorized the White Book as a result of four months of cite-checking. (The "White Book" published by Harvard University, is the handbook of rule and abbreviations required for proper citations and references in legal writing).

Reis pointed out that there are reasons for the extra work load in this year's program.

"First, the program is only two years old, and all the 'bugs' have not been eliminated from the system," he said. "In addition, the bibliography was needed as a research aid, and, in future, the only work that will be done on it is up-dating of the references."

Pushed up publication deadlines made completion of the work on the Sea Grant Journal imperative so that all the editing had to be done during the summer.

Reis hopes to avoid this problem in the future by stepping up the selection process for the next group of Sea Grant Fellows. Instead of waiting until late in the spring to begin selecting new members, the program members and faculty hope to make applications for the grants available as soon as the Fall grades are in. If this is

done, new members will be chosen earlier in the semester and therefore will be able to get the job of editing the papers from the Fall term for publication done before the Summer.

In the past, the selection process has involved the examination of a student's whole record, consisting of a resume, writing sample, recommendations from faculty members and grades, by the present program members and the faculty advisors. Last year the Fellows reviewed the applications and made an initial selection of candidates for the grants who were then interviewed by the faculty members of the program. From the group that was interviewed, the 10 Fellows were selected. "A similar procedure will probably be used for this year's selection process," said Reis.

The future of the Sea Grant Program looks promising to Reis. He hopes that publication of the journal will establish a reputation for the program throughout the state which could lead to increased contacts with the scientific and legal communities, which will in turn lead to increased funding and expansion of the program at some future date.

Although overall reactions to the program are positive, some of this year's program members are worried about having time this semester to do their research and write up their findings under the pressure of course work, jobs and extra-curricular obligations.

But in times when money and summer jobs are hard to come by, the Sea Grant Program is inviting in spite of the work load and students who participated this year are not worried about recruiting successors.

UB Grad

Legal Aid lawyer joins clinic

by Sharon Osgood

New to the staff of the Law School Clinic program this year, Stephen Lacher brings to that program significant experience with legal aid practice as well as teaching background. For the past three years Lacher, as staff attorney of the Orleans County Legal Aid Bureau, has worked with a wide variety of criminal and family problems for the financially needy of that rural county. He has supplemented that experience with part-time instructional work with inmates at Attica Correctional Facility through the Genesee Community College Inmate Education Program.

During a leave of absence as a student from the University of Buffalo School of Law, Lacher taught Junior and Senior High School Social Studies. He states that he has never lost his enthusiasm for teaching, and is very excited about this opportunity to combine the two fields.

Lacher has high praise for the Clinic program. He sees the Clinic as a major improvement in resources within the school since he graduated from here in May, 1973. He said the Clinic program is already very strong, but his excitement about the program is encouraged by what he sees as a definite policy of the Law

School to strengthen the program even further, making it into one of the best in the state. He is eager to be a part of the force that will be shaping the program.

Lacher will directly supervise six students in the Correctional Law Clinic, an area of chief interest for him. He notes that the program provides students with exposure to a type of client they do not ordinarily meet. He is also involved with the Juvenile and Education Law Clinic.

The aim of all the Clinic programs is to provide students experience in applying practical skills. The program begins with several weeks of lecture, including guest speakers, but quickly the students become involved with interviewing, participating in hearings and working as advocates. Lacher was pleased that nearly all students signed up for the Clinic program were able to be assigned to their preferred areas of interest.

As he faced college graduation in 1967 from Syracuse University, Lacher states that his life goals were ill-defined. He knew he wanted a professional career, and was seriously considering medicine or a career in his major area, Economics. He took the Law School Admission Test as a lark, and finding that he had done well, decided that



— Frank Carroll

a law school education would be a healthy, mind-expanding experience.

After one year of law school he was forced to consider the quality of his draftable status. He chose to enter what was then a deferrable vocation, teaching, fearing, however, that he might never return to law school. However, in 1971 Lacher did return to the University of Buffalo to complete his J.D. degree.

His interest in Legal Aid resulted from

on-the-job experience after he had become a lawyer. Lacher, a well-developed individualist, knew he was not very interested in a traditional law firm setting, nor was he eager for urban living. Preferring not to become lost in the shuffle of a large city practice, Lacher decided instead on a setting that would provide him autonomy and control over the issues he would pursue. The Legal Aid Office availed him of experience, he feels, that he would not have gained elsewhere.

Guild offers alternative summer jobs, projects

by Ron Eskin

Every Summer selected law students from across the country are granted alternatives to the dreary docket-searching and title-snooping fate which awaits most of us. Instead of growing pallid in the corners of nameless county halls, these people are availed the opportunity to see law as it operates in the searching light of real life.

The alternative opportunities come from The National Lawyer's Guild. The Guild sponsors projects to work with immigrants, police brutality problems, farm labor hassles, utility company abuses, housing and shelter concerns, and so on.

SUNYAB law student Joe Balter spent the summer in New York City with the immigration project. Dealing primarily with people who lacked the proper "papers," Balter witnessed the law's effect on those most vulnerable to it, the stranger who is almost totally unfamiliar with how to get by in America.

"I saw a good example of how law can be used as a tool of political oppression.

The people I dealt with were being blocked from immigrating due to innumerable technicalities," explained Balter, a second-year student.

Funded by contributions from private foundations and Guild members, the summer project provides a minimum-wage salary and usually, free room and board in return for a summer of legal work.

Since 1971, Students at the Buffalo Law School have maintained a chapter of the National Lawyer's Guild. On the national level, the Guild has almost 5,000 members — lawyers, law students, and legal workers. It has publicly declared itself to be an organization of people opposed to the forces of capitalism.

Established in the heyday of the New Deal, the National Lawyers' Guild was promoted as a liberal attorneys alternative to the American Bar Association. Guild attorneys became active in labor cases and later, when the House Un-American Activities Committee and Senator Joseph McCarthy were attacking the members of the American Left, Guild attorneys led

much of the defense. More recently, Guild lawyers have represented Joanne Little, Angela Davis, several Black Panthers, and countless other political defendants.

The impetus for a chapter of the National Lawyers' Guild developed in Buffalo following the Attica insurrection in 1971. Buffalo became the focus of national attention, and attorneys from across the country poured into the city.

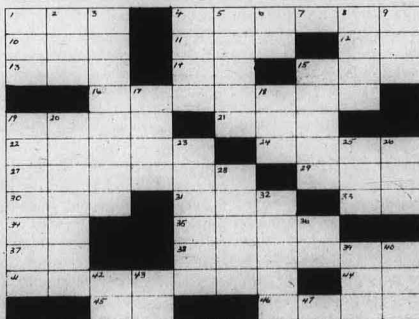
Professor Haywood Burns, a noted trial attorney and a Guild member, joined the faculty of the SUNYAB Law School during this period. Several Lawyers' Guild members at the Law School assisted in the Attica defense, and for three consecutive years, the Guild sponsored Summer projects in the Buffalo area.

More recently, the Lawyers' Guild took positions against cutbacks by the State University system, particularly as they affected minority students. The Guild posited that the form which the cutbacks took posed a serious threat to poor and working people who were seeking an education.

The membership supported reinstatement of the State University Scholarships, and serious efforts by the faculty and administration to develop a coherent and effective minority admissions and retention program.

The National Lawyers' Guild and the Buffalo Chapter of the Guild do not restrict their activities for social change to the legal area. In Buffalo the Guild has worked with Women's Studies College, the Black American Law Students Association, the Graduate Student Employees Union and numerous other groups to resist SUNY cutbacks. It worked with citizens groups, political organizations, and members of the media in launching a public campaign to stop the passage of Senate Bill Number One.

On the legal side, the bulk of the efforts by the Buffalo Chapter of the Guild last year, were channelled into a prison condition suit involving the Erie County Detention Facility. This year's plans include promoting desegregation of the communities in this region.



DOWN

1. Cheer
2. Supplement
3. Punishment for violation of excepted norms of social conduct
4. Post, send
5. To make void
6. French article
7. A measure of your egotism is how often you say this word

8. Metropolis

9. New
15. Beginning
17. Ethereal
18. Honey
19. Contained in an accusation or indictment (plural)
20. A beverage of wine and honey drunk by the Ancient Greeks; poetic, strong speech, etc.
23. The condition legally owning and possessing reality

Legal Crosstics

by Steven Errante

25. Videlicet; that is; namely
26. Yearn
28. Vista; view
32. Entrance; access
36. County Prosecutor (abbreviation)
39. What law school sometimes makes us
40. Shelter
42. Indefinite article
43. Same as 45 across
47. Chemistry symbol for argon

19. Coop
21. French article
22. Designates fee simple: "and his."
24. An imposing and collecting of a tax
27. 20th Century English poet (first initial, last name)
29. Cravat
30. First name of a criminal Law professor at UB
31. Cool, frost, chill
33. Zinc (chemistry symbol)
34. "As this corporation goes, so goes the country"
35. Transmit
37. ——— cummings
38. To limit the inheritance of property to a specific line of heirs.
41. An oral defamatory remark
44. French article
45. Nix
46. University of Connecticut

ACROSS

1. The subject matter of actions that are primarily in rem
4. Intent
10. Alias (abbreviation)
11. A collection of anecdotes
12. Provided
13. Puller
14. Contained or enclosed by
15. Mel
16. Slander, defamation; false prosecution or accusation

Answers in next issue.

Spring and summer grading report

FIRST YEAR	H*	H	Q	D	F	Inc.	Tot.
Property							
Blumberg	5	16	58	6	1	--	86
Greiner	--	12	84	13	1	--	110
Reis	1	22	50	6	1	--	80
Const. Law I							
Newhouse	--	24	88	11	1	--	124
Albert	2	8	55	16	--	--	81
Mann	5	15	46	9	2	--	75
Research & Writing							
Hollinger	--	52	109	1	--	2	164
Anti-Trusts							
Gifford	--	9	6	--	--	--	15*
Judicial Process							
Schlegel	--	7	9	--	--	--	16
Fund. of Municipal Law							
Kaplan	--	7	13	--	--	--	20
Legislation							
Lindgren	2	6	9	--	--	--	17
Law & Medicine							
Hyman	--	6	8	1	--	1	16
UPPERCLASS ELECTIVES (* denotes courses open to first-year students.)							
*Administrative Law							
Gifford	--	21	54	14	--	--	89
Coll. Barg. in Gov't.							
Newhouse	1	11	45	--	--	--	57
Collective Bargaining							
Atleson	--	16	36	--	--	--	52
Conflict of Laws							
Bell	1	4	16	--	--	--	21
Const. Law IV							
Mann	--	4	3	--	--	--	8
*Public Int'l Law							
Leary	--	13	37	4	--	--	54
*Criminal Procedure I							
	--	22	86	10	--	--	118
*Evidence							
Birzon	1	14	130	10	--	--	155
Estate Planning							
Mugel	--	28	39	--	--	--	67
Family Law							
Swartz	--	12	69	5	--	--	86
Gratuitous Transfers							
	--	36	106	10	1	--	153
*Labor Law							
Kochery	--	51	74	1	--	--	126
Federal Tax II							
Joyce	--	27	68	10	--	--	105
New York Practice							
Homburger	--	21	203	6	--	--	250
*Commercial Trans. I							
Schlegel	--	7	40	5	--	1	53
Commercial Trans. II							
Spanogle	5	14	39	6	--	--	62
Securities Regulation							
Lybecker	1	5	38	4	--	--	48
Trial Technique							
Staff	3	37	94	--	--	--	134
*Data Banks & Privacy							
McCarty	--	13	25	1	--	--	39
*Civil Procedure II							
Kochery	--	41	70	--	--	--	111
Criminal Procedure II							
Allen	--	21	67	12	--	--	100
Debtors Rights							
Girth	1	21	44	12	1	--	79

[illegible]

Headrick . . .

from page 1



On the question of the discretionary admission program, the Dean's position is essentially that the school must consider factors other than grades and LSAT Scores when admitting students but he noted that he was not fully cognizant of the procedures in use at Buffalo. Headrick views SUNYAB Law School, the only State-supported Law School, as having two general responsibilities which should determine its admission policies: "One is to provide certain kinds of opportunities that might be unobtainable elsewhere to certain segments of society, but, secondly, the school has a responsibility to produce the best people possible for the legal profession, and those two goals are sometimes in conflict."

Because he has not fully examined how the admissions process at Buffalo works, he had no comment on the question of numbers or percentages in relation to discretionary admissions.

The Dean recognized the problem of the qualified student who falls under the discretionary admissions program but opts to attend another Law School because Buffalo cannot offer sufficient financial aid or other assistance. He said that, "although it is hoped that more money can be made available, at this time many private and governmental sources of funds are disappearing. The school may be able to tap some new sources of support in the future, but the immediate outlook is pessimistic."

To a suggestion of changing the present H/Q grading system to another form of indicating student performance, the Dean remarked that the present method "does a reasonable job of informing students about the quality of their work and does distinguish the strong student from one who is not quite as strong. Basically, there is little that could be gained by tampering with the present procedure," he added.

Dean Headrick was informed of student complaints about course availability and registration problems and was presented with the suggestion that many students would like to be able to plan a coherent schedule covering their last two years of school and be reasonably assured that they would be registered in courses they needed. "For now," he said, "the Law School is working to organize course planning on a year-by-year basis rather than on a semester-by-semester basis, and, in light of the problems encountered in the Spring of 1976 with registration, the administration will attempt to look further ahead in their planning."

"In order to implement improved procedures, the jurisdiction of the Budget and Program Review Committee was restructured so it can give more attention to course offerings and related problems," the Dean said.

Headrick commented on another area of recent student concern — library facilities. He said that the basic problem is one of funds for acquisitions. Noting that some outside money might be available — for instance a campaign last spring brought in a "very gratifying" amount of money — Headrick said that funding is still far short of the school's needs. He expressed optimism about future library funding and the hope that acquisitions would be sufficient to meet the immediate needs of the students and faculty.

Headrick remarked that another library problem, overcrowding created by the influx of students from other colleges of the university to the law library, could not be alleviated until a new university library is opened on the Amherst campus. "Barring other students from the law library could set up barriers between law and other colleges and would work to the disadvantage of the law college", the Dean said.

Questioned about increased student input into faculty/administration decision making processes, Dean Headrick said he would like to become familiar with the present system of student participation before he suggests any changes. The Dean stated that for the present he thinks the existing arrangements "give fairly extensive student input into key administrative processes."

SBA elections coming up Oct. 13 & 14

The Student Bar Association will hold elections for 12 student offices Oct. 13 and 14. They include six First Year Directors; two Third Year Directors; three members of the Student-Faculty Relations Board; and Second Vice-President of SBA.

First and Third Year Directors represent their respective classes in the SBA. They attend weekly meetings to discuss and act upon issues of general concern to the student body and represent student interests before the administration and faculty.

The Second Vice-President is primarily responsible for coordination of SBA activities with other student governments of the University, and representation of the SBA on various University-wide committees.

The Student-Faculty Relations Board is the primary body for determination of grievances at the Law School. Three student members and three faculty members meet as a judicial panel to decide matters of grading, student conduct and ethics.

To appear on the ballot for any of these offices, students must submit petitions on forms which will be available at the SBA office at noon Sept. 24. Petition requirements are:

First Year Directors — Petitions must bear the signatures of forty-eight (48) currently-enrolled first year students.

Third Year Directors — Petitions must bear the signatures of: twenty-four (24) first year students; twenty-eight (28) second year students; and twenty-six (26) third year students;

Second Vice President — Petitions must bear the signatures of fifty-two (52) currently enrolled third year students;

Student-Faculty Relations Board — Petitions must bear the signatures of nineteen (19) first year students; twenty-two (22) second year students; and twenty (20) third year students.

All petitions must be returned to the SBA office by 5:00 p.m. on October 5.



— Connie Farley

Students play and Picnic on SBA

About 60 students and faculty members turned out for sunshine, softball and beer at the SBA's picnic Sunday at Ellicott Creek Park



— Bob Citronberg

CLASSIFIEDS

AD INFORMATION

ADS MAY be placed in the Opinion office located in 623 O'Brian Hall, Amherst Campus, SUNY/Amherst, New York 14260 or by phone at 636-2107.

DEADLINE for ads is 5 p.m. Tuesday, the week before the issue in which they are to appear.

NO RATE will be charged for ads.

WANT ADS may not discriminate on ANY basis. The Opinion reserves the right to edit or delete any discriminatory wordings in ads.

WANTED

ANYONE INTERESTED in establishing car pool from West Side of Buffalo call Rob, 1st year, section 1, 684-4399.

RIDE/CARPOOL from Kenmore area to Amherst campus, contact Lynn

Skerpon 875-0015.

JIM MCFARLAND needs your help to get back to Albany. Anyone interested in working on his campaign please call Alan at 837-5662.

ANYONE INTERESTED in playing tennis indoors this winter for a reasonable price, call/see George Rusk 632-2707 or John Simson 833-4453.

ANYONE INTERESTED in playing 4-wall squash please call Dean 838-2959.

SKIS FOR SALE. Head 320 with Cubco bindings 205 cm for \$30; Metal-Fiberglass 207 cm for \$30. Contact Jim Paris in Room C321 Spaulding.

FOR FREE

KITTENS FREE to good home. All white, grey, striped; toilet-trained. Donna 835-1809.

IN BRIEF

SUSTA

Law students who qualify for the new State University Supplemental Tuition Award (SUSTA) will definitely get \$725 toward their first-semester tuition, but when they will get it is still uncertain.

The SUNYAB Financial Aid Committee has officially approved a plan proposed by Financial Aid Director Joseph Stillwell, allocating the funds available on a percentage basis to all students who qualify for the maximum state-administered Tuition Assistance Program (TAP). However, Stillwell said late last week that his office is still waiting

for a roster from Albany of students who will be getting TAP. **Softball League**

The Opinion would like to sponsor a 4-person half court, very informal, basketball league. A sign up sheet will be posted on the SBA bulletin today. Students, faculty, staff, and their friends are eligible.

Each team will consist of six persons — individuals or groups as large as six may sign up. Groups of less than six will be paired with other groups at random.

Results and standings will be printed in the Opinion.

The League will end by Thanksgiving and teams will play only once per week at the Bubble (at most twice) to allow for studying.

Further information will be made available if there are enough sign ups.

Student Loans & Bankruptcy

The House of Representatives recently passed a bill designed to prevent student borrowers of federally insured loans (including NYHEAC and NDSL) from discharging their debt under the Federal Bankruptcy Act. The bill would provide that the educational loan could not be discharged in a bankruptcy proceeding begun during the first five years of the repayment period. The bill is presently being examined by a House-Senate Joint Committee, and if approved will be forwarded to President Ford for ratification or veto.